

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

CRIMINAL NO. 16-CR-30024-DRH-6

vs.

RODNEY BERNOID SMITH,

Defendant.

**PRELIMINARY ORDER FOR FORFEITURE PURSUANT TO FED.R.CRIM.P.
32.2 WITH RESPECT TO CERTAIN PROPERTY OF RODNEY BERNOID SMITH**

In the Indictment filed in the above cause on February 18, 2016, the United States sought forfeiture of property of defendant, Rodney Bernoid Smith, pursuant to 21 U.S.C. § 853(a). The court, upon consideration of guilty verdict in this matter, hereby finds that the following property is forfeitable and hereby orders forfeited the following property:

- a. **\$508,330.00 U.S. Currency, which was seized at the Drury Inn Hotel Room #562, located at 11980 Olive Boulevard, Creve Coeur, Missouri 63141 on December 3, 2015;**
- b. **\$339,380.00 U.S. Currency, which was seized on December 3, 2015, from a black Dodge Ram pickup truck with Florida registration P99OKI and was registered to Enterprise Rental and was located at the Drury Inn Hotel located at 11980 Olive Boulevard, Creve Coeur, Missouri 63141;**
- c. **\$319,920.00 U.S. Currency, which was seized December 3, 2015, from a grey Ford F-150 with Georgia registration BSG2774 and registered to PV Holdings (Avis/Budget), located at the Drury Inn Hotel located at 11980 Olive Boulevard, Creve Coeur, Missouri 63141;**
- d. **\$33,744.00 U.S. Currency, which was seized on December 2, 2015, from Nahum Shibeshi, on Nancy Drive, in O'Fallon, Illinois;**

- e. \$11,560.00 U.S. Currency, which was seized on December 2, 2015, from Terrance Miles, on Nancy Drive, in O'Fallon, Illinois; and**
- f. Assorted jewelry consisting of: 1 Gold colored Rolex Watch, 1 gold and diamond bracelet, 1 gold colored chain with cross and diamonds, which was seized on December 2, 2015, from Terrance Miles, at a location on Nancy Drive in O'Fallon, Illinois, valued at \$72,000.00.**

The United States shall provide notice of the forfeiture and the right of persons other than the defendant who have any claim or legal interest in any of the property to file a petition with the Court. The notice shall be provided in a manner consistent with Supplemental Rule G(4)(a) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions.

The notice shall state that the petition shall be set for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title, or interest in the forfeited property, the time and circumstances of the petitioner's acquisition of the right, title or interest in the property, any additional facts supporting the petitioner's claim, and the relief sought.

The United States, also to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property that is the subject of the Order for Forfeiture, as a substitute for the published notice to those persons so notified.

Upon the filing a petition alleging the third-party interests in the property, the court may amend this order to resolve the claimed third-party interests.

The United States Marshal or property custodian for the Drug Enforcement Administration shall seize and reduce to his possession, if he has not already done so, the above-described property.

This Order, pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, shall become final with respect to Defendant Rodney Bernoid Smith at the time of the Defendant's sentencing, regardless of whether or not the rights of actual or potential third-party petitioners have been determined by that time. This Order shall be made part of the sentence of Defendant Rodney Bernoid Smith and shall be included in the Judgment imposed against the Defendant. This Order is a final order with respect to the Defendant, and this Order may be amended with respect to petitions filed by third-parties claiming an interest in the subject-matter forfeited property.

IT IS SO ORDERED.

Signed this 7th day of June, 2017.



Digitally signed by
Judge David R. Herndon
Date: 2017.06.07
14:29:30 -05'00'

DAVID R. HERNDON
United States District Court Judge